

Michigan United Conservation Clubs

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House Committee on Tourism, Natural Resources, & Outdoor Recreation

Wednesday, November 4, 2009

Testimony of Michigan United Conservation Clubs (MUCC)

Re: HB 5564

Mr. Chair and committee members, thank you for allowing MUCC the opportunity to comment on House Bill 5564. My name is Dave Nyberg and I am here today on behalf of the 45,000 sportsmen and women of Michigan United Conservation Clubs.

This issue originally came to the attention of MUCC from Mr. Jack Leonhardt, an active member of one of our affiliated clubs, the West Michigan Walleye Club. The issue is rather simple. Statute prevents a walleye angler from being in possession of more than his or her daily bag limit. The problem occurs when tournament anglers or those who simply seek out one of Michigan's many top fishing destinations for a weekend do not have the ability to place their daily catch in the freezer before heading out the next day to catch more fish. As such, these anglers who contribute to local economies across the state are not legally allowed to "possess" more than one day's legal bag limit, preventing them from keeping their aggregate catch from an enjoyable fishing trip.

MUCC fully supports this legislation, which seeks to cure a loophole in the possession law that penalizes otherwise well-intentioned anglers. The issue can get somewhat complicated when discussing an acceptable alternative for storing fish – freezing, curing, filleting, etc. There also may be some enforcement issues depending on the final outcome of this legislation. Some questions that came to the attention of MUCC regarding enforcement:

- If an angler may possess an "additional day's possession limit" by "freezing [fish] in a solid state," does this mean an ice angler can "possess" 10 walleyes if they're frozen on the ice?
- If an angler may "possess" more than the daily possession limit" if the fish were placed "in his automobile," does this mean the fish must not be filleted?

Because many of these possible enforcement scenarios may arise, and because the Natural Resources Commission is the entity best equipped to perfect the objective this legislation seeks to achieve based on sound, scientific management principles, MUCC has discussed the possibility of giving the Commission an opportunity to carry out the intent of this legislation. This is an option our organization still prefers.

Thank you for the opportunity to raise some of these issues regarding HB 5564. MUCC fully supports the intent of the legislation, and we look forward to curing the ultimate legal issue that brought us here to discuss it in the first place.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "D. Nyberg", is written over a horizontal line.

Dave Nyberg

MUCC Government & Public Relations Manager